

COMMISSION MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission

Government Center South
402 West Washington Street
Indianapolis, Indiana 46204
Conference Room B

August 5, 2008

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:06 a.m. on August 5, 2008.

- (a) Commissioners present at the Commission meeting:

Diana M. H. Brenner
Michael Christoffersen
Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health
Michael Corey
Jerry Townsend, representing the Commissioner, Department of Labor
David Hannum, Chairman
John Hawkins
M. Burke Jones
Ted Ogle
James Ridley

- (b) The following departmental and support staff were present during the meeting:

Support Services Division, Legal and Code Services
Mara Snyder, Director, Legal and Code Services
John Haines, Code Specialist
John Hibner, Code Specialist
Bob Robinson, Code Specialist
Beth Sutor, Secretary

2. **Old Business.**

Chairman Hannum called for any corrections or a motion to approve the minutes of the July 1, 2008 meeting as distributed. A motion to approve the minutes as distributed was made by Commissioner Ridley and seconded by Commissioner Christoffersen. It was voted upon and carried.

3. **Ordinances.**

Mara Snyder, Director of Legal and Code Services, introduced the Property Maintenance Code, Bloomington, Indiana, for consideration. Assistant City Attorney, Patricia Mulvihill, explained the background of the code, the city's efforts to regulate off-campus housing for Indiana University students, and the fact that their property maintenance code had been in effect since 1993. After some discussion, Commissioner Hawkins moved to deny with the second by Commissioner

Cundiff. It was voted upon and carried. The fact that there was no distinction between Class 1 and Class II structures in the Bloomington code was cited as one contributing factor to deny by Commissioner Hawkins.

Shelley Wakefield, Director of Fire and Building Code Enforcement, introduced Building Code Ordinance No. 7-2008, Matthews, Indiana, to the Commission, recommending its approval. Commissioner Jones moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

4. **Variances.**

Tabled Variances.

Variance 08-06-14(a) Ball State University North Residence Hall, Muncie, was presented by Ralph Gerdes, Ralph Gerdes Consultants. The ductwork and piping for this 4-story building will not be in a 2-hour shaft. A fire damper at each floor level will be provided, and piping will be fire-stopped at each level as well. The building is II-B construction and is fully sprinklered. Commissioner Hawkins noted that Chapter 7 of the Building Code contains a loop wherein you are directed by one section to another section, which returns you, unanswered, to the original section. Commissioner Christoffersen moved to approve with the second by Commissioner Ogle. It was voted upon and carried with one nay vote. Variance 08-07-26(a)(b) Griot's Garage, Inc, Plainfield, was presented by Christina Colleston. After distributing an addendum listing the various chemicals used and amounts required per batch, she explained procedures and safe-guards to the Commission. After discussion, Commissioner Ridley moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

Regular Variances.

Chairman Hannum called for any variances to be pulled from the block vote for individual consideration. Variance 08-08-9(b) was called out by Commissioner Corey. Commissioner Jones made the motion to approve the following variances with an "A" or "B" review rating by staff with the second being made by Commissioner Brenner. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 08-08-2 Swiss Village Community Center Pool, Berne
- (2) 08-08-5 Nancy Hanks Elementary Courtyard Doors, Ferdinand
- (3) 08-08-6 Knauf Corporate Center, Shelbyville
- (4) 08-08-7(a) Noblesville Fire Station #7, Noblesville
- (5) 08-08-9(a) Immaculate Heart of Mary Renovation & Addition, Indianapolis
- (6) 08-08-14 Fishers Church of Christ, Fishers
- (7) 08-08-18 Hilton Garden Inn, Indianapolis
- (8) 08-08-21(a) The McCurdy Historic Rehabilitation, Evansville
- (9) 08-08-23(a) The Project School, Indianapolis
- (10) 08-08-24(a)(b)(c) Woodlawn Hospital Addition, Rochester
- (11) 08-08-26 American Legion Post 420 Lift Addition, Monroeville
- (12) 08-08-27 Indiana University Hospital Pharmacy Renovation, Indianapolis
- (13) 08-08-31 University of Notre Dame Law School, Notre Dame
- (14) 08-08-33 Hancock County Emergency Operations Center, Greenfield
- (15) 08-08-36(b) Ralston Square, Indianapolis
- (16) 08-08-40 Lawton Loop Condominiums Moorehead Building, Indianapolis
- (17) 08-08-42(a)(b) Tri-West Hendricks High School, Lizton
- (18) 08-08-43 Valparaiso University Union, Valparaiso
- (19) 08-08-44 Margaret Mary Community Hospital EDS/Imaging Addition, Batesville
- (20) 08-08-49 Brown Residence Swimming Pool, Zionsville

- (21) 08-08-3 The Georgetown, Indianapolis

Variance 08-08-3 was rated as “no variance required” by staff. Commissioner Cundiff moved that no variance was required with the second by Commissioner Ridley. The motion was voted upon and carried.

- (22) 08-08-4 Briar Leaf Clubroom, LaPorte

Variance 08-08-4 was incomplete at the time of the Commission meeting and was ineligible to be heard. No action was taken.

- (23) 08-08-1 Lutheran Hospital of Indiana, Ft. Wayne

The proponent requested variance be heard later in the meeting to allow time for the fax containing missing information to be delivered to him.

The following variances were heard separately:

- (24) 08-08-7(b) Noblesville Fire Station #7, Noblesville

Tim Callas, J & T Consulting, spoke as proponent. The variance was to allow the use of exceptions given for a sprinklered building though the sprinkler system will not be functional for two years. The area in which the station is located is not scheduled by the city for development for two years. A retention pond would be available for use in the event of a fire. Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried.

- (25) 08-08-8 Kat’s Pub, Indianapolis

Tim Callas, J & T Consulting, spoke as proponent. The request is to allow this 22,890 square foot restaurant in a strip mall of Type VB construction. A 2-hour fire barrier will be installed separating the A-2 occupancy, and the largest fire area will be 6,400 square feet. After discussion, Commissioner Hawkins moved to approve with the conditions that there be a third exit installed in the restaurant and it was to have a maximum occupant load of 150. The second was made by Commissioner Cundiff. It was voted upon and carried.

- (26) 08-08-9(b) Immaculate Heart of Mary Renovation & Addition, Indianapolis

Tim Callas, J & T Consulting, spoke as proponent. Commissioner Corey asked if the installation was to be a vertical lift or a LULA lift. The architect, Mike Halstead, identified it as a vertical lift since a regular elevator would not fit in the space since the school had an addition in which the new floors didn’t match up with the existing floors. A letter from the manufacturer of the lift was provided, stating the unit would perform safely to thirty feet and they were only traveling twenty-four. After discussion, Commissioner Corey moved to approve with the condition that a LULA lift be installed. Commissioner Ogle made the second. It was voted upon and carried.

- (27) 08-08-10 Landmark of Lockerbie, Indianapolis

Staff had recommended that no variance was required. Commissioner Hawkins moved that no variance was required with the second by Commissioner Christoffersen. It was voted upon and carried.

- (28) 08-08-11 Lake Point Center 5, Indianapolis

Chris Howard, Fire System Services, spoke as proponent. The request was to allow standpipes to be moved to the intermediate landings. T.J. Burns, Indianapolis Fire Department, had no objections. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (29) 08-08-12 Christ Church The Lutheran Church of Zionsville Phase One Addition, Zionsville

Kevin Huse, Woollen Molzan and Partners, spoke as proponent. The request was to allow a non-compliant service area for an attic mounted furnace. The furnace is within a 30"x 30" service area through which web cords of the 3 roof trusses pass. This does not interfere with maintenance for the unit. The attic is sprinklered. After discussion, Commissioner Ridley moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

- (30) 08-08-13 Merrillville High School, Merrillville

Greg Drennen, Lorenze Williams Clinton, spoke as proponent. The request was for the temporary closing of an exit during construction of the addition and re-routing occupants 100 feet down the corridor to another exit. Signage and instructions to students and staff will be provided, and a limited number of rooms and occupants will be affected. Commissioner Ridley moved to approve for a period of one year beginning July 2008 to July 31, 2009. Commissioner Townsend made the second. It was voted upon and carried.

- (31) 08-08-15(a)(b) Renaissance Bay Development Buildings 7 and 17, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request for (a) was to delete emergency power for elevators in the 5 story, sprinklered building to eliminate a generator on the grounds. If the elevator is hydraulic, a battery powered lowering system will be installed. After discussion, Commissioner Cundiff moved to deny with the second by Commissioner Jones. It was voted upon and carried with one nay vote. Variance (b) was to allow the elevator cab to comply with 2003 Indiana Building Code requirements for a 24" x 76" stretcher, since this was the code in effect when the building was designed, but not under which it was filed. The local fire department has no objections to this request. To comply with current code would require the installation of a much heavier elevator and a re-design of the building. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

- (32) 08-08-16 Butler College of Pharmacy and Health Sciences, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow a stair enclosure to discharge through the first floor lobby which will be open to the basement lobby below to allow

natural light to be utilized in the lower lobby. To comply with code, it must be separated by fire barriers and rated doors. The building is sprinklered, and the argument was made by the proponent that the sprinklers provided a greater protection than the barrier and rated doors would provide. Commissioner Brenner felt that it was a design issue and moved to deny with the second by Commissioner Hawkins. It was voted upon and carried with one nay vote.

- (33) 08-08-17 Carroll High School Temporary Exiting, Ft. Wayne

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was for temporary exiting during construction in which the Senior High School and Junior High School will be joined together by an addition. Signage and instruction for occupants will be provided. After discussion, Commissioner Brenner moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

5. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 10:41a.m. He then reconvened the meeting, calling it back to order at 10:51 a.m.

- (34) 08-08-1 Lutheran Hospital of Indiana, Ft. Wayne

Mark Peters, MSKTD & Associates, spoke as proponent. The City of Ft. Wayne is now providing fire service in this area, and requested the hospital obtain a variance to remove the fire hoses from the materials management warehouse cabinets and install compatible hardware so the responders may use their own equipment. After discussion, Commissioner Ridley moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

- (35) 08-08-19 Showers Inn, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. Two buildings, filed under two project numbers, comprise the Inn. This building involves a change of use, and this now requires accessibility. The building on the adjoining lot, part of the complex, will provide accessible rooms and route into the building. It is felt by the owners that they meet the intent of the law by considering the two buildings as a single "place of public accommodation". After discussion and with the limitation that the variance would be in effect only under the current owner, Commissioner Christoffersen moved to approve with the second by Commissioner Brenner. It was voted upon and carried with one nay vote being cast.

- (36) 08-08-20 Covenant Christian High School, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was for temporary exiting during construction to allow the creation of a 57 foot dead-end corridor in the sprinklered building. This corridor serves the music room and a gymnasium door. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (37) 08-08-21(b) The McCurdy Historic Rehabilitation, Evansville

Ed Rensink, RTM Consultants, spoke as proponent. The request is to allow the installation of electrical outlets in exterior and some interior walls of the 1917 building at baseboard level instead of the code-

compliant height of 15". To install compliant outlets would be approximately \$240,000 additional cost. ANSI A117.1 will allow these outlets in adaptable units. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (38) 08-08-22 Adobo Grill, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. A restaurant with an elevated floor level is being included in the renovation of an existing building. An Indianapolis inspector cited the size of the existing elevator cab as non-compliant under current code. The request was to allow the existing elevator to be used to serve the new construction of the elevated level, though it doesn't meet size requirements in the new code. It will accommodate a wheelchair. After discussion, Commissioner Cundiff moved to approve, and Commissioner Ogle made the second. It was voted upon and carried.

- (39) 08-08-23(b) The Project School, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow an existing stair, which will be enclosed, to have a non-compliant rise and run in the renovated building. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

- (40) 08-08-25 Floyd Central High School, Floyd Knobs

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow temporary egress during construction in two areas. The exit identified as A on the plans submitted with the application will have a temporary partition wall around the construction. The exit identified as B will have a tunnel from the building to the sidewalk to protect occupants. The condition will exist until January 2009. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

- (41) 08-08-28 Reid Hospital, Richmond

Rodney McCulloh, RTM Consultants, spoke as proponent. The request was to allow a convenience stair to connect more than 2 floors without being enclosed. The basement level of this vertical opening is enclosed by a 2-hour fire barrier. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ridley. It was voted upon and carried with one nay vote.

- (42) 08-08-29 Mt. Pleasant Christian Church Community Life Center, Greenwood

Doug Trent, RTM Consultants, was the proponent. Based on information presented in the application concerning maximum travel distance from a portion of the running track exceeding the allowable distance by 20 feet, Commissioner Cundiff moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

- (43) 08-08-30 Community Hospital East ED Expansion, Indianapolis

Rodney McCulloh, RTM Consultants, spoke as proponent. The request was to allow the new construction to be of Type 1B construction with a 2-hour fire barrier in lieu of the 3-hour fire wall

required by code. The addition is one story, sprinklered, and over 100 feet away from any portion of the second story of the other building. After discussion, Commissioner Brenner moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (44) 08-08-32 Westpoint Building 1, LLC, Monrovia

Christina Colleter, RTM Consultants, spoke as proponent. She requested the application be tabled for one month to allow the local fire official to attend. Commissioner Christoffersen moved to table with the second by Commissioner Ogle. It was voted upon and carried.

- (45) 08-08-34 Santarossa Mosaic & Tile, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the width of the fire access road to decrease from 20' to 15' in certain areas to allow for future expansion of the business. The local fire officials do not object. Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried.

- (46) 08-08-35 Dow AgroSciences Midwest Field Research Facility, Fowler

Ed Rensink, RTM Consultants, spoke as proponent. The request was for the addition to the farm equipment area to be 15% over allowable area for Type IIB construction. The code would require a fire wall constructed across the width of the building which would prohibit the needed movement of farm implements and machinery within the building. Commissioner Hawkins moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (47) 08-08-36(a) Ralston Square, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the pressure at the top of the standpipes to be 65 psi instead of the 100 psi required by code. The local fire official will accept 65 psi. Commissioner Ogle moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (48) 08-08-37 Innovative Recyclers, Inc., Kokomo

Monty McAmis, CEO, spoke as proponent. The request was to omit a sprinkler system in the building used to store shredded paper for pick-up. The building is leased, the applicant is unable to provide the system, and the landlord is not inclined to spend between \$20,000 and \$25,000 to install it. The local fire official is not in opposition to the variance. Commissioner Ridley moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (49) 08-08-38 Squire Boone Village Storage Building, New Albany

Joshua Gedney, architect, spoke as proponent. The metal structure was to be 5 feet from any other building, but builder error put it too close. To comply with code, the building walls would need to be rated for fire exposure on both sides. The request is to allow the building to have rated assemblies on the

interior side of the walls only. After discussion, Commissioner Ridley moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (50) 08-08-39 The TKE House at Wabash College, Crawfordsville

Ed Rensink, RTM Consultants, spoke as proponent. The house had installed a door with a closer on the hoistway frame of the elevator. An inspector called it out as a call button obstruction. The request was to allow the door to remain since, when in its proper closed position, it does not obstruct the buttons. After discussion, Commissioner Corey moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried with one nay vote.

- (51) 08-08-41 New Albany High School Weight Room & Canopy, New Albany

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow temporary exiting during construction which affects one door. Exit signs and lighting will be adjusted accordingly. After discussion, Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried.

- (52) 08-08-42(c)(d) Tri-West Hendricks High School, Lizton

Ed Rensink, RTM Consultants, spoke as proponent. He requested to be heard later in the meeting to allow missing papers to be delivered to him for his presentation. His request was granted.

- (53) 08-08-45 McAlister's Deli, Noblesville

Staff had recommended in their review that no variance was required. Commissioner Brenner moved that no variance was required with the second by Commissioner Ridley. It was voted upon and carried.

- (54) 08-08-46 Heather Glen Cathedral Series II, Franklin

- (55) 08-08-47 Stone Bridge Cathedral Series II, Greenwood

Christina Colleston, RTM Consultants, spoke as proponent. The two variance applications were heard together since they were the same issue. A non-compliant condition was discovered during construction. The buildings have a two-hour wall separating them into sets of two units. The garage doors are within four feet of the wall, making the two-hour wall non-compliant. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (56) 08-08-48 Franklin United Methodist Community Addition, Franklin

Keith VanDeman, Chief Advancement Officer of Franklin United Methodist Community, thanked the Commission for allowing their variance to be added to the agenda. Robert Overton, InterDesign, acted as proponent. The request was to allow stair supports connected to structural members to be unrated and considered to be miscellaneous steel, not structural steel, as cited in an order written by Fire and Building Code Enforcement. The inspector, Randy Cooley, explained his decision to the Commission. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

- (57) 08-08-51 Redeemer Evangelical Lutheran Church Lift, Warsaw

Pete Barnett, Chairman of Trustees, spoke as proponent. The request was to allow the church to install a vertical lift platform to access the basement, main floor and balcony for a travel distance of 20 feet to provide accessibility. The restrictions of the existing building won't allow the use of a regular elevator. After discussion, Commissioner Corey moved to deny with the second by Commissioner Christoffersen. It was voted upon and carried.

(58) 08-08-42(c)(d) Tri-West Hendricks High School, Lizton

Ed Rensink, RTM Consultants, spoke as proponent. The request in variance (c) was to allow the building to be occupied before the sprinklers in the additions are fully operational due to the phasing of the additions. The school should be fully sprinklered by the end of the project in 2010. Variance (d) is to allow temporary egress during construction. After discussion, Commissioner Hawkins moved to approve both (c) and (d) with the second by Commissioner Christoffersen. It was voted upon and carried.

6. **New Business – General.**

Discussion and Possible Commission Action

Sheline Garage
Administrative Cause No. 08-14
Approval of Variance 08-02-34
Remand to the Commission

The proponent requested this be tabled until the September 3, 2008 Commission meeting.

Pine Grove Banquet Facility
Administrative Cause No. 08-18
Denial of Variance 08-03-37
Remand to Commission

An agreement has been reached between the parties involved, and three proposed additions to the variance applications have been made and submitted to the Commission for their consideration. Commissioner Ogle moved to approve variance 08-03-37 with the three additions and moved to dismiss the appeal. Commissioner Hawkins made the second. It was voted upon and carried.

Discussion and Commission Action On Petitions For Review (All are timely field unless otherwise noted.)

Mooresville High School
Order – Fire and Building Code Enforcement

Sheridan High School Additions and Renovation
Construction Design Release

Golden Corral Addition, Bedford

Order – Fire and Building Code Enforcement

4557 W. Bradbury Ave, Indianapolis
Order – Wayne Township Fire Department

Commissioner Ridley moved to approve all timely filed petitions for review. Commissioner Jones made the second. It was voted upon and carried.

7. **Requested Code Changes**

Robert Overton submitted a proposed code change for consideration by the Fire and Building Safety Commission. Chairman Hannum instructed staff to review NFPA 101A and provide a written review to the Commission by the October meeting.

8. **Discussion and Readoption of Rules**

Mara Snyder, Director of Legal and Code Services, presented the Readopted Final Rule, LSA Document #08-433(F), for the consideration of the Commission. Commissioner Cundiff moved to approve with the second by Commissioner Jones. It was voted upon and carried.

9. **Comments.**

Mara Snyder, Director, Legal and Code Services, asked for clarification from the Commission on how they wished a condominium complex with multiple addresses to be filed. Did they wish to receive an application per address, per building or per project? After discussion, the consensus of opinion was that it should be filed as one application per titled owner. This would be either a single application by the developer if nothing had been sold, or from the developer for unsold units and an application per owner of those units which had been purchased.

10. **Adjournment.**

Chairman Hannum adjourned the meeting at 12:29 p.m.

APPROVED _____
David Hannum, Chairman